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Attorney for Defendant, *CAROL KIRBY*

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA)
)
 Plaintiff,)
)
 v.)
)
 CAROL KIRBY,)
)
 Defendant.)
)

2:23-CR-00191-APG-NJK

**STIPULATION TO CONTINUE THE HEARING FOR WAIVER OF INDICTMENT,
FILING OF INFORMATION, INITIAL APPEARANCE AND
ARRAIGNMENT AND PLEA SCHEDULED FOR DECEMBER 21, 2023**

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by and through Assistant United States Attorney Jessica Oliva, Esq., and Defendant, **CAROL KIRBY**, by and through her attorney Richard A. Schonfeld, Esq., that the Hearing for Waiver of Indictment, Filing of Information, Initial Appearance and Arraignment and Plea currently scheduled for December 21, 2023, at the hour of 1:00 p.m. be continued for a period of thirty days.

This Stipulation is entered into for the following reasons:

1. Carol Kirby had an arrest warrant issued in the State of Arizona and surrendered on that arrest warrant on December 19, 2023. Carol Kirby is currently in custody on that warrant and it is unclear if she will be posting bail in order to secure her release;

2. If Defendant posts bail or is otherwise released from custody in Arizona then she will voluntarily appear in this case. If Defendant is not released from custody in Arizona then the government anticipates seeking a writ to secure her presence for this case.

For the foregoing reasons, the parties request a continuance of the Hearing for Waiver of Indictment, Filing of Information, Initial Appearance and Arraignment and Plea for a period of thirty days.

DATED this 20th day of December, 2023.

UNITED STATES ATTORNEY

CHESNOFF & SCHONFELD

/s/ Jessica Oliva

/s/ Richard A. Schonfeld

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FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

Having considered the Stipulation of the Parties, and good cause being shown, the Court hereby finds and Orders as follows:

1. Carol Kirby had an arrest warrant issued in the State of Arizona and surrendered on that arrest warrant on December 19, 2023. Carol Kirby is currently in custody on that warrant and it is unclear if she will be posting bail in order to secure her release;
2. If Defendant posts bail or is otherwise released from custody in Arizona then she will voluntarily appear in this case. If Defendant is not released from custody in Arizona then the government anticipates seeking a writ to secure her presence for this case.

IT IS THEREFORE ORDERED that the Hearing for Waiver of Indictment, Filing of Information, Initial Appearance and Arraignment and Plea currently scheduled for December 21, 2023 at the hour of 1:00 p.m. be continued to January 24, 2024 at 1:30 p.m, courtroom 6C.

IT IS SO ORDERED.

DATED this 20th day of December, 2023.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE

Submitted by:

/s/ Richard A. Schonfeld
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